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Item 80 of the preliminary list*
Maintenance of international security — good-neighbourliness, stability and development in South-Eastern Europe

Security Council
Fifty-sixth year

Letter dated 15 March 2001 from the Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of the Agreement for delineation of the borderline between the Republic of Macedonia and the Federal Republic of Yugoslavia signed, on the margins of the Balkan Summit, held in Skopje on 23 February 2001, by Boris Trajkovski, President of the Republic of Macedonia, and Vojislav Kostunica, President of the Federal Republic of Yugoslavia. The Agreement was concluded in the Macedonian and Serbian languages. A translation of the text of the Agreement is enclosed herewith (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the fifty-sixth session of the General Assembly, under item 80 of the preliminary list, and of the Security Council.

(*Signed*) Naste **Calovski**
Ambassador
Permanent Representative

* A/56/50.

01-29114 (E) 190301

Annex to the letter dated 15 March 2001 from the Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations addressed to the Secretary-General

Agreement for the delineation of the borderline between the Republic of Macedonia and the Federal Republic of Yugoslavia

The Republic of Macedonia and the Federal Republic of Yugoslavia (hereinafter the contractual parties),

Starting with the Agreement for regulation and development of the relations between the Republic of Macedonia and the Federal Republic of Yugoslavia, signed on 8 April 1996 in Belgrade,

Having in mind the mutual readiness and devotion to contribute to the development of good-neighbourly relations, security, stability and cooperation in the region and beyond,

Guided by the desire to conscientiously fulfil the obligations adopted in accordance with the United Nations declaration, respecting the principles of sovereignty, territorial integrity, political independence and peaceful resolution of conflicts, without threat or use of force,

Determined to confirm the borderline and prepare a written description of the borderline,

Have agreed on the following:

Article 1

The State border between the Republic of Macedonia and the Federal Republic of Yugoslavia (hereinafter referred to as the State border) is a flat plane that cuts vertically across the surface of the earth and divides the territories of the two countries and their respective airspace and subterranean area.

Article 2

The State border between the Republic of Macedonia and the Federal Republic of Yugoslavia extends from the Macedonian-Yugoslav-Albanian border (border post 2092 — border stone D 24) to the Macedonian-Yugoslav-Bulgarian border (border post 1106).

Data pertaining to borderline are contained in the following border documents, which are an integral part of this agreement:[a]

- Textual description of the State border (annex 1);
- Topographic chart with a 1:25,000 scale (annex 2).

In the case of a disagreement between the textual description of the State border and the topographic chart, precedence will be given to the textual description of the border.

[a] The text of the annexes is available for consultation at the Permanent Missions of the former Yugoslav Republic of Macedonia and the Federal Republic of Yugoslavia to the United Nations.

Article 3

The borderline of the Macedonian-Yugoslav border is marked with border signs.

Article 4

When the borderline crosses a waterway, the borderline will extend through the middle of the waterway basin. In the case of a natural or artificial modification of the waterway, the State border will remain at the place determined on the ground as the borderline prior to the modification.

Article 5

The contractual parties will establish a joint commission that will be responsible for executing the demarcation and delineation of the common border and will carry out the demarcation and the dissemination of border signs on the common State borderline on the ground within two years of the signing of this Agreement.

The joint commission will carry out the delineation and demarcation of the borderline as per article 3 of this Agreement and will compile border documentation that will describe the manner of demarcation of the common borderline and the location of the border signs (posts).

The joint commission will adopt rules of procedure for its work, instructions for the demarcation and delineation of the borderline, as well as technical instructions for preparing border documentation.

The border documentation will be executed in two original copies, one for each of the contractual sides.

In demarcating parts of the borderline described in the jointly agreed documentation, the joint commission will follow data documented in the land registers. Taking into consideration the local geographic, orographic and economic conditions as a whole, the joint commission will be able to make any necessary and balanced corrections, which may deviate up to 150 metres from the textual description of the borderline.

Article 6

The contractual parties will regulate by way of agreement the relations regarding the maintenance, renovation and demarcation of the borderline and border posts, the prevention and settlement of border incidents and the regulation of borderline communication and the transport of civilians, as well as the unimpeded use by the rightful legal owner of real estate property that will remain on the other side of the borderline.

Article 7

With regard to the cultural and historical monuments and memorials in the territory of both States, the Monastery St. Prohor Pcinski, the Serb military cemeteries and others, the contractual parties will conclude a special inter-State agreement that will determine the modalities of their renovation, maintenance and unimpeded access by the citizens of both countries.

Article 8

In agreement with international norms and national legislation, the contractual sides will provide for the care and protection of the environment in the border area.

Article 9

Any disputes in the interpretation and implementation of this Agreement will be settled by the Governments of the contractual parties by diplomatic means, i.e. by using all other available mechanisms of international law for dispute settlement.

Article 10

This Agreement is concluded for an indefinite term. Individual articles of the Agreement may be subject to change or modification only with the mutual consent of the contractual parties.

Article 11

This Agreement is subject to ratification in accordance with the legislation of the contractual sides and will be put into force on the thirtieth day following the second note by which the contractual sides inform themselves that conditions for the coming into force of the Agreement have been met.

Done on 23 February 2001 in Skopje in two original and equally valid copies, in the Macedonian and the Serbian languages.

For the Republic of Macedonia
(*Signed*) Boris Trajkovski

For the Federal Republic of Yugoslavia
(*Signed*) Vojislav Kostunica

United Nations A/56/61

General Assembly

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Fifty-sixth session
Item 19 of the preliminary list*
Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Second International Decade for the Eradication of Colonialism

Report of the Secretary-General

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* A/56/50.

01-30266 (E) 160401

I. Introduction

1. On 22 November 1988, the General Assembly adopted resolution 43/47, entitled "International Decade for the Eradication of Colonialism", which read in part as follows:

> "*The General Assembly*,
>
> "*Recalling* that the year 1990 will mark the thirtieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples,
>
> "*Bearing in mind* the related recommendation contained in the Final Document adopted by the Conference of Foreign Ministers of Non-Aligned Countries,[1] held at Nicosia from 7 to 10 September 1988,
>
> ...
>
> "1. *Declares* the period 1990-2000 as the International Decade for the Eradication of Colonialism;
>
> "2. *Requests* the Secretary-General to submit to the General Assembly at its forty-fourth session a report that would enable the Assembly to consider and adopt an action plan aimed at ushering in the twenty-first century, a world free from colonialism."

2. On 8 December 2000, at the conclusion of the first International Decade for the Eradication of Colonialism, the General Assembly adopted resolution 55/146, entitled "Second International Decade for the Eradication of Colonialism", which read as follows:

> "*The General Assembly*,
>
> "*Recalling* that 2000 marks the fortieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[2]
>
> "*Recalling also* its resolution 43/47 of 22 November 1988, by which the General Assembly declared the period 1990-2000 as the International Decade for the Eradication of Colonialism, and recalling further resolution 46/181 of 19 December 1991, by which it adopted a plan of action for the Decade,[3]
>
> "*Bearing in mind* the related recommendations of the Thirteenth Ministerial Conference of the Movement of Non-Aligned Countries, held in Cartagena, Colombia, on 8 and 9 April 2000,[4] which proposed, inter alia, the declaration of a new decade for the elimination of colonialism, and which supported the effective implementation of the related plan of action,
>
> "*Bearing in mind also* the endorsement of the proposed declaration of a new decade for the eradication of colonialism by the participants in the Pacific regional seminar organized by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to review the political,

[1] A/43/667-S/20212, annex, sect. I, para. 239.
[2] Resolution 1514 (XV).
[3] See A/46/634/Rev.1, annex.
[4] A/54/917-S/2000/580, annex.

economic and social conditions in the Non-Self-Governing Territories, held in Majuro, Marshall Islands, from 16 to 18 May 2000,[5]

"*Taking into account* its resolution 54/90 A of 6 December 1999, in which it noted with concern that the plan of action for the International Decade could not be concluded by the year 2000,

"*Guided* by the fundamental and universal principles enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights[6] and the International Covenant on Civil and Political Rights,[7]

"*Having examined* the relevant reports of the Secretary-General concerning the implementation of the plan of action for the International Decade,

"*Taking into account* the important contribution of the United Nations in the field of decolonization, in particular through the Special Committee,

"1. *Declares* the period 2001-2010 the Second International Decade for the Eradication of Colonialism;

"2. *Calls upon* Member States to redouble their efforts to implement the plan of action, as contained in the annex to the report of the Secretary-General,[5] updated where necessary, to serve as the plan of action for the Second Decade;

"3. *Calls upon* the administering Powers to cooperate fully with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to develop a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions of the United Nations on decolonization, including resolutions on specific Territories;

"4. *Invites* Member States, specialized agencies and other organizations of the United Nations system, and other governmental and non-governmental organizations, actively to support and participate in the implementation of the plan of action during the Second International Decade;

"5. *Requests* the Secretary-General to provide the necessary resources for the successful implementation of the plan of action;

"6. *Also requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution."

II. Action taken by the Secretary-General

3. In accordance with paragraph 28 of the plan of action for the Decade,[3] which states that "the Secretary-General should submit to the General Assembly at its

[5] See A/55/23 (Part I), chap. II, annex. For the final text, see *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 23*.

[6] Resolution 217 A (III).

[7] Resolution 2200 A (XXI), annex.

fifty-fifth session a final report on the achievements of the Decade", the Secretary-General issued a report[8] describing the actions of the United Nations organizations and agencies in fulfilment of the goals of the Decade, and reproduced statements by Member States describing their actions in that regard.

4. The views and suggestions submitted by Member States to the Secretary-General, which were summarized in the plan of action for the first Decade, remain largely relevant to the Second Decade. In accordance with General Assembly resolution 55/146, the plan of action has been updated as necessary and is included as an annex to the present report.

[8] A/55/497.

Annex

Plan of action for the Second International Decade for the Eradication of Colonialism

I. Introduction

1. The ultimate goal of the Second International Decade for the Eradication of Colonialism should be the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples through the exercise of the right to self-determination and independence by the populations of the remaining Non-Self-Governing Territories, in accordance with all relevant resolutions and decisions of the General Assembly and with the principles contained in the Declaration.

II. Action at the international level

2. The international community, Member States, the United Nations system as a whole and other governmental and non-governmental organizations should unite their efforts to assist effectively the peoples of the Non-Self-Governing Territories in their progress towards self-determination and should actively participate in the implementation of the plan of action.

3. The international community and the United Nations system as a whole should continue to support the holding of consultations, as well as negotiations that are under way, among Member States concerned with a view to resolving certain colonial situations clearly identified in resolutions and decisions of the General Assembly.

4. The international community should seek to enable the peoples of Non-Self-Governing Territories to exercise their inalienable right to self-determination and decide their future political status with complete knowledge and awareness of the full range of political options available to them, including independence. In that context, particular emphasis should be placed on the improvement of educational systems in the Non-Self-Governing Territories and the protection and enhancement of the human rights of the populations.

5. The international community should ensure that all political exercises relating to self-determination are carried out in an atmosphere free from intimidation and outside interference and allow for the open expression of the interests and aspirations of the peoples of the remaining Non-Self-Governing Territories irrespective of such factors as size, geographical location, size of population or availability of economic resources, with the United Nations playing an appropriate role.

III. Areas in which the United Nations, in cooperation with the administering Powers, should take action as a matter of priority

6. The United Nations, in cooperation with the administering Powers, should ensure that the peoples of Non-Self-Governing Territories are kept fully aware of the

political status options available to them through increased direct contacts with the elected leaders and with the peoples themselves.

7. The United Nations, in cooperation with the administering Powers, should ensure that all acts of self-determination are preceded by adequate and unbiased campaigns of political education.

8. The appropriate United Nations organs, in consultation with the administering Powers, should undertake comprehensive reviews of the situation in each of the Non-Self-Governing Territories in order to arrange for the holding of self-determination referendums as soon as possible, in accordance with the principles contained in the Declaration and all relevant resolutions and decisions of the General Assembly.

9. The Secretary-General, or his Special Representative, should endeavour to visit each of the Non-Self-Governing Territories as appropriate during the Second Decade and report thereon to the General Assembly.

IV. Areas in which action is requested of the administering Powers as a matter of priority

10. Administering Powers should take the necessary measures to promote the political, economic, social, cultural and educational advancement of the peoples of the Non-Self-Governing Territories, thereby facilitating their exercise of the right to self-determination, and should continue to provide the United Nations with information in accordance with Article 73 *e* of the Charter of the United Nations.

11. Administering Powers should ensure that any exercises of the right to self-determination are not affected by changes in the demographic composition of the Territories under their administration as a result of immigration or the displacement of the peoples of the Territories.

12. Administering Powers should implement measures aimed at conserving the natural resources, preserving the environment and assisting the peoples of the Non-Self-Governing Territories in achieving the maximum possible level of economic self-reliance, environmental protection, and social and educational development.

13. Administering Powers should continue to cooperate, or resume cooperation, with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, and actively involve themselves in its work.

14. Administering Powers should facilitate, in accordance with all relevant resolutions and decisions of the General Assembly and taking into account Assembly resolution 1514 (XV) of 14 December 1960, the participation of Territories under their administration in the programmes and activities of the specialized agencies, international financial institutions and other organizations within the United Nations system, and United Nations bodies on decolonization, including in particular the Special Committee, as well as regional and international organizations.

15. Administering Powers should facilitate the dispatch of United Nations visiting missions to each of the Territories at regular intervals.

V. Measures at the international level

16. Member States, in particular administering Powers, should take all necessary measures to protect the Non-Self-Governing Territories against environmental degradation and ecological damage; ensure timely assistance in the monitoring of both natural and man-made environmental threats; and provide the relief assistance necessary in cases of environmental emergencies.

17. Member States should be invited to consider adopting at the national level such measures, including legislation, that would (a) discourage all actions and activities, commercial or otherwise, that could be prejudicial to the exercise of the right to self-determination and independence by the peoples of the remaining Non-Self-Governing Territories; and (b) promote full respect for the human rights of peoples living under foreign domination and facilitate their recourse to judicial proceedings in order to gain economic and social restitution.

18. Member States, in particular administering Powers, should refrain from the use of the remaining Non-Self-Governing Territories for military bases and installations.

VI. Role of the specialized agencies and other organizations of the United Nations system and non-governmental organizations

19. Concrete mechanisms of international assistance should be worked out, especially in terms of economic growth and development, as well as protection of the environment, in the Non-Self-Governing Territories. In this area, the specialized agencies of the United Nations system and international financial institutions should play a major role and therefore should be called upon to prepare adequate programmes.

20. The relevant United Nations bodies, particularly the Department of Public Information of the Secretariat, should be entrusted with intensifying the dissemination of information on the situation in the remaining Non-Self-Governing Territories, as well as on the Second Decade itself through special publications on decolonization, public film projections, photo exhibits and seminars. Depending on the availability of resources, the Department should be encouraged to establish the appropriate correspondent network in the remaining Non-Self-Governing Territories.

21. Non-governmental organizations and individuals with expertise in the field of decolonization should be requested to intensify their activities in cooperation with the relevant organs of the United Nations.

VII. Action by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

22. The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, with the cooperation of the administering Powers, should:

(a) Prepare periodic analyses of the progress and extent of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in each Territory;

(b) Review the impact of the economic and social situation on the constitutional and political advancement of the Non-Self-Governing Territories;

(c) Organize during the Second Decade seminars in the Caribbean and Pacific regions alternately, as well as at United Nations Headquarters, to review the progress achieved in the implementation of the plan of action, with the participation of the peoples of the Non-Self-Governing Territories, their elected representatives, the administering Powers, Member States, regional organizations, specialized agencies, non-governmental organizations and experts.

23. The Special Committee should continue to seek, as a matter of priority, the full cooperation of administering Powers with regard to the dispatch of United Nations visiting missions to Non-Self-Governing Territories.

24. The Special Committee, with the cooperation of the administering Powers, should make every effort to facilitate and encourage the participation of representatives of the Non-Self-Governing Territories in regional and international organizations, as well as in the specialized agencies of the United Nations system, the Special Committee itself and other United Nations decolonization bodies.

VIII. Coordination, review, appraisal and reporting

25. The Special Committee and the Secretary-General should coordinate the programme of activities relating to the Second Decade.

26. The Special Committee should submit annually to the General Assembly an analytical report containing:

(a) A review and appraisal of the activities undertaken in connection with the Second Decade;

(b) Suggestions and recommendations.

27. The Secretary-General should submit to the General Assembly at the mid-point of the Second Decade a report on action taken, as well as on suggestions and trends that emerge from the deliberations of United Nations organs and the specialized agencies on implementation of the plan of action.

28. The Secretary-General should submit to the General Assembly at its sixty-fifth session a report on the achievements of the Second Decade.

United Nations A/56/62-S/2001/334

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General Assembly
Fifty-sixth session
Item 30 of the preliminary list*
Cooperation between the United Nations and the Organization for Security and Cooperation in Europe

Security Council
Fifty-sixth year

Letter dated 4 April 2001 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement of the President of the Republic of Azerbaijan, Mr. Heydar Aliyev, made at the meeting of the Secretary of State of the United States of America, Mr. Colin Powell, with the Presidents of the Republic of Azerbaijan and the Republic of Armenia and co-chairs of the Organization for Security and Cooperation in Europe (OSCE) Minsk Group, in Key West, Florida, United States of America, on 3 April 2001 (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under item 30 of the preliminary list, and of the Security Council.

(*Signed*) Eldar **Kouliev**

* A/56/50.

01-32345 (E) 120401 120401

Annex to the letter dated 4 April 2001 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

[Original: Russian]

I should like, first of all, to express appreciation to you, Mr. Secretary of State, for the invitation to visit the United States of America. I thank the United States Administration, the authorities of the city of Key West and all those who have organized this meeting for the hospitality and the excellent conditions for conducting our work.

The special nature of this meeting lies in the fact that, for the first time, the Minsk Group of the Organization for Security and Cooperation in Europe (OSCE) has convened in a format in which the Co-Chairmen of the OSCE Minsk Conference, together with the Presidents of Armenia and Azerbaijan and other participants, propose to discuss the question of the peaceful settlement of the Armenian-Azerbaijani Nagorny Karabakh conflict.

Unfortunately, there was no such format for meetings in the past, and this was, perhaps, one of the reasons why up to this point we have been unable to achieve success. I hope that this meeting will play a positive role in resolving the conflict, which has been continuing for more than 12 years.

The history of the Armenian-Azerbaijani Nagorny Karabakh military conflict is rather well known to the world community. It is not an exaggeration if I say that this is one of the conflicts in the world, which has remained unresolved for a long period of time.

In connection with this, availing myself of the opportunity, I should like to speak briefly about the basic reasons preventing a settlement of the conflict and to express certain views.

It is well known that this conflict arose in connection with territorial claims concerning Azerbaijan on the part of Armenia, which was attempting to seize and annex part of the age-old Armenian land — Nagorny Karabakh. It began in 1988, when Armenia and Azerbaijan were still Union Republics within the Soviet Union. However, as a result of the unjust position taken by the leaders of the Soviet Union with regard to Azerbaijan and, possibly, also an unwillingness to avert the conflict, it developed further and expanded into a war.

I should like to point out that, in 1921, the Azerbaijani Government granted the Nagorny Karabakh region of Azerbaijan the status of an autonomous region, and it enjoyed all the rights of autonomy. Therefore, there were no objective reasons for the start of this conflict. At the time when the conflict began in Nagorny Karabakh, there was a population of 185,000 persons. Of them, 74 per cent were Armenians and 25.2 per cent Azerbaijani.

While seeking to achieve its territorial claims with regard to the neighbouring country, Armenia provoked the separatist, terrorist forces in the Nagorny Karabakh region into engaging in armed confrontation. Then, Armenia itself initiated military aggression against Azerbaijan.

Nagorny Karabakh came fully under the military control of the separatists and the Armenian armed forces, which carried out ethnic cleansing, expelling all

Azerbaijanis from the region — approximately 50,000 persons. This was accompanied by killing and acts of violence. The Azerbaijanis residing in the town of Khojaly were subjected to genocide.

Having occupied Nagorny Karabakh, the Armenian armed forces expanded military operations beyond the Nagorny Karabakh region and occupied, in addition, seven major administrative districts of Azerbaijan.

In this way, by 1993 20 per cent of the territory of Azerbaijan had been seized and is still under occupation by the Armenian armed forces. Everything has been destroyed, pillaged and obliterated in this territory. More than 900 large and small towns, approximately 600 schools, 250 medical institutions, and all museums and historical and cultural monuments have been destroyed.

During the conflict, 30,000 Azerbaijani citizens perished; more than 200,000 were wounded and became invalids; and thousands were captured, seized as hostages and are missing. About 1 million Azerbaijanis, which represents every eighth citizen of the country, have lost their land, and this is the ninth year in which they have been living in tents under intolerably difficult conditions. A new generation has grown up in these tents.

Today, there is no similar case in the world in which one State has occupied the territory of another and has carried out massive ethnic cleansing there, while the world community silently witnesses this tragedy. The legitimate demands of Azerbaijan to restrain the aggressor have not found support.

Ten years ago, on 24 March 1992, the Council of Ministers of the Conference on Security and Cooperation in Europe (CSCE) adopted, at a special meeting in Helsinki, a decision on holding the Minsk Conference in order to achieve a comprehensive settlement of the Armenian-Azerbaijani Nagorny Karabakh conflict. In this way, an international institute on conflict resolution was established. This decision, which defined the Conference's mandate and the structure of the negotiation process, is of exceptional importance.

In 1993, the United Nations Security Council considered, on several occasions, the question of the occupation of the territory of Azerbaijan by Armenian armed forces. Four resolutions were adopted: 822 (1993), 853 (1993), 874 (1993) and 884 (1993).

The Security Council resolutions strongly demanded the immediate and unconditional withdrawal of Armenian armed forces from the occupied Azerbaijani territories and also the establishment of conditions for the return of refugees and displaced persons to their places of residence in their native land. The United Nations categorically supported the sovereignty and territorial integrity of the Republic of Azerbaijan and confirmed that the Nagorny Karabakh region belonged to the Republic of Azerbaijan. The Security Council also supported the mediation activities of the CSCE Minsk Group.

None of these resolutions, however, have been implemented, and the Security Council has still not concerned itself about the implementation of the decisions that it adopted.

A decision to step up the activities of CSCE in connection with the Armenian-Azerbaijani Nagorny Karabakh conflict was adopted in December 1994 at the CSCE Summit in Budapest. The CSCE heads of State defined the stage-by-stage nature of

the settlement and entrusted the Co-Chairmen of the CSCE Minsk Conference with the task of drawing up an agreement on halting the armed conflict. The agreement was to provide for the elimination of the basic consequences of the conflict for all sides and was to become the basis for convening the Minsk Conference. A decision to deploy CSCE multinational peacekeeping forces in the area of the conflict was also taken.

The basic formula for settling the conflict was laid down at the OSCE Summit in Lisbon in December 1996. All the OSCE States members, except the Republic of Armenia, supported the three basic settlement principles, which ensure the territorial integrity of the Republic of Azerbaijan, and the granting to Nagorny Karabakh of the highest degree of self-government within Azerbaijan with security guarantees for its entire population.

In this way, the international community defined the legal basis for a settlement, established a negotiation institute and defined the tasks of the mediators.

Since the Lisbon Summit, the OSCE Co-Chairmen of the Minsk Group have been from three leading States of the world — the Russian Federation, the United States of America and France, in which we have placed great hope in the expectation that their efforts will lead to a settlement of the conflict, the restoration of the territorial integrity of Azerbaijan and the return of the refugees to their places of residence. Unfortunately, however, this has still not come about. Armenia is not carrying out any of the decisions adopted by the United Nations or OSCE.

The Co-Chairmen of the Minsk Group submitted three proposals for settling the Armenian-Azerbaijani Nagorny Karabakh conflict. The first proposal, submitted by them in June 1997, contained a package solution to the conflict, and the second, put forward in November 1997, dealt with a stage-by-stage settlement. In November 1998, the Co-Chairmen submitted a new, third, proposal — a proposal on a "common State".

Azerbaijan accepted the first and second proposals by the Co-Chairmen as the basis for conducting the negotiation process, in spite of the fact that some of their provisions ran counter to the norms and principles of international law and infringed the principle of the territorial integrity of Azerbaijan. In spite of this, however, Armenia refused to accept these proposals, adopting a clearly unconstructive position.

We did not accept the proposal by the Co-Chairmen concerning a "common State". The concept of a "common State", which has no basis in international law, implies that Nagorny Karabakh is an independent State and a territorial entity and accords it the status of a subject of a "common State" on equal footing with Azerbaijan. This proposal completely contradicts the principles and norms of international law, would deprive Azerbaijan of part of its territory and would in fact legitimize the Armenian aggression against Azerbaijan.

We consider that the Co-Chairmen of the OSCE Minsk Group, guided by the principles of international law, should have more effectively influenced the negotiation process and promoted the speediest settlement of the conflict, the restoration of the territorial integrity of Azerbaijan and the return of the refugees to their places of residence. As an integral part of Azerbaijan, Nagorny Karabakh can be granted the status of a high degree of self-government within the Azerbaijani Republic. Unfortunately, the Co-Chairmen basically occupied themselves with

mediation activities, without bringing to bear the necessary influence on the negotiation process in accordance with the norms of international law. The hopes that we have placed in the leaders of the OSCE Minsk Group, representing the Russian Federation, the United States of America and France, have not yet brought about the desired results.

Direct meetings between the Presidents of Armenia and Azerbaijan began in April 1999 in Washington on the initiative of the United States Administration. Since then, we have held numerous meetings with President Kocharian in Geneva, Moscow, Istanbul, Paris, Minsk, Davos, Yalta, and also on the border between our Republics.

In the course of our dialogue with the President of Armenia, we have basically been engaged in a search for mutually acceptable compromises in order to achieve a speedy and peaceful settlement of the conflict and establish long-term stable peace between Armenia and Azerbaijan. I should like to point out that, at the end of 1999, we were close to achieving a compromise. Armenia, however, reneged on the agreement reached.

During the difficult negotiations, the Armenian side has always had a rigid, unconstructive position. We cannot reach agreement because the position of the Armenian side at these negotiations is based precisely on the fact that it has the advantage, having occupied 20 per cent of the territory of Azerbaijan. Armenia has sought in every way possible to seize and annex part of the territory of Azerbaijan or achieve the status of independence for Nagorny Karabakh.

Unfortunately, as a result of our meetings, the Co-Chairmen of the OSCE Minsk Group have adopted a wait-and-see, passive position and have based their activities on the principle "What the Presidents agree upon will be acceptable to OSCE".

We consider that the meetings of the Presidents do not replace the activities of the Co-Chairmen of the Minsk Group. On the contrary, mutually complementing one another, they should ensure progress in the negotiation process in order to achieve a final settlement of the conflict.

In accordance with the principles and norms of international law and the Charter of the United Nations, the territorial integrity and inviolability of the borders of each independent State that is a Member of the United Nations must be observed by all and, particularly, OSCE, which has taken upon itself the responsibility for settling this conflict. OSCE and its Minsk Group must firmly adhere to these principles and promote in every way possible their strict observance.

The situation that has arisen today in the negotiation process is creating a dangerous precedent in international relations.

Instead of strictly observing the norms and principles of international law and strengthening them, the international community is showing indecisiveness. Such fundamental norms and principles of international law as the constancy of territorial integrity and inviolability of borders are being called into question, and this undermines the foundations of international practice, which has been established over the course of decades, and international law in order to please the 100,000 Armenians who live in the Nagorny Karabakh region of the Republic of Azerbaijan.

But peace, stability and security achieved as a result of recognition of military aggression cannot be stable or long-lasting.

Having explained the background of the situation that has come about in the Armenian-Azerbaijani Nagorny Karabakh conflict, I should like to state that Azerbaijan remains committed to peace and the observance of the ceasefire regime achieved as early as May 1994. We shall continue to strive to achieve a complete settlement of the conflict through peaceful means.

At the same time, everything that I have said, in my opinion, enables you to imagine the difficult situation that we are in. I therefore call upon the Co-Chairmen of the OSCE Minsk Group — the Russian Federation, the United States and France — to step up their efforts to halt the armed conflict and establish stable peace.

There is no need to point out that Azerbaijan, 20 per cent of whose territory is under occupation and hundreds of thousands of whose citizens are living in tents, is more interested than any one State in halting the conflict and establishing peace. It is clear that the establishment of peace between Armenia and Azerbaijan will be of immense importance also for stability and security throughout the southern Caucasus.

We came to this meeting with great hope and we are counting on the active efforts of the Co-Chairmen of the Minsk Group — the Russian Federation, the United States and France — as well as a constructive position on the part of the Republic of Armenia.

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Item 30 of the preliminary list**
Cooperation between the United Nations and the Organization for Security and Cooperation in Europe

Security Council
Fifty-sixth year

Letter dated 4 April 2001 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement of the President of the Republic of Azerbaijan, Mr. Heydar Aliyev, made at the meeting of the Secretary of State of the United States of America, Mr. Colin Powell, with the Presidents of the Republic of Azerbaijan and the Republic of Armenia and co-chairs of the Organization for Security and Cooperation in Europe (OSCE) Minsk Group, in Key West, Florida, United States of America, on 3 April 2001 (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under item 30 of the preliminary list, and of the Security Council.

(*Signed*) Eldar **Kouliev**

* Reissued for technical reasons.
** A/56/50.

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Annex to the letter dated 4 April 2001 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

[Original: Russian]

I should like, first of all, to express appreciation to you, Mr. Secretary of State, for the invitation to visit the United States of America. I thank the United States Administration, the authorities of the city of Key West and all those who have organized this meeting for the hospitality and the excellent conditions for conducting our work.

The special nature of this meeting lies in the fact that, for the first time, the Minsk Group of the Organization for Security and Cooperation in Europe (OSCE) has convened in a format in which the Co-Chairmen of the OSCE Minsk Conference, together with the Presidents of Armenia and Azerbaijan and other participants, propose to discuss the question of the peaceful settlement of the Armenian-Azerbaijani Nagorny Karabakh conflict.

Unfortunately, there was no such format for meetings in the past, and this was, perhaps, one of the reasons why up to this point we have been unable to achieve success. I hope that this meeting will play a positive role in resolving the conflict, which has been continuing for more than 12 years.

The history of the Armenian-Azerbaijani Nagorny Karabakh military conflict is rather well known to the world community. It is not an exaggeration if I say that this is one of the conflicts in the world, which has remained unresolved for a long period of time.

In connection with this, availing myself of the opportunity, I should like to speak briefly about the basic reasons preventing a settlement of the conflict and to express certain views.

It is well known that this conflict arose in connection with territorial claims concerning Azerbaijan on the part of Armenia, which was attempting to seize and annex part of the land that has been Azerbaijani since time immemorial — Nagorny Karabakh. It began in 1988, when Armenia and Azerbaijan were still Union Republics within the Soviet Union. However, as a result of the unjust position taken by the leaders of the Soviet Union with regard to Azerbaijan and, possibly, also an unwillingness to avert the conflict, it developed further and expanded into a war.

I should like to point out that, in 1921, the Azerbaijani Government granted the Nagorny Karabakh region of Azerbaijan the status of an autonomous region, and it enjoyed all the rights of autonomy. Therefore, there were no objective reasons for the start of this conflict. At the time when the conflict began in Nagorny Karabakh, there was a population of 185,000 persons. Of them, 74 per cent were Armenians and 25.2 per cent Azerbaijanis.

While seeking to achieve its territorial claims with regard to the neighbouring country, Armenia provoked the separatist, terrorist forces in the Nagorny Karabakh region into engaging in armed confrontation. Then, Armenia itself initiated military aggression against Azerbaijan.

Nagorny Karabakh came fully under the military control of the separatists and the Armenian armed forces, which carried out ethnic cleansing, expelling all

Azerbaijanis from the region -- approximately 50,000 persons. This was accompanied by killing and acts of violence. The Azerbaijanis residing in the town of Khojaly were subjected to genocide.

Having occupied Nagorny Karabakh, the Armenian armed forces expanded military operations beyond the Nagorny Karabakh region and occupied, in addition, seven major administrative districts of Azerbaijan.

In this way, by 1993 20 per cent of the territory of Azerbaijan had been seized and is still under occupation by the Armenian armed forces. Everything has been destroyed, pillaged and obliterated in this territory. More than 900 large and small towns, approximately 600 schools, 250 medical institutions, and all museums and historical and cultural monuments have been destroyed.

During the conflict, 30,000 Azerbaijani citizens perished; more than 200,000 were wounded and became invalids; and thousands were captured, seized as hostages and are missing. About 1 million Azerbaijanis, which represents every eighth citizen of the country, have lost their land, and this is the ninth year in which they have been living in tents under intolerably difficult conditions. A new generation has grown up in these tents.

Today, there is no similar case in the world in which one State has occupied the territory of another and has carried out massive ethnic cleansing there, while the world community silently witnesses this tragedy. The legitimate demands of Azerbaijan to restrain the aggressor have not found support.

Nine years ago, on 24 March 1992, the Council of Ministers of the Conference on Security and Cooperation in Europe (CSCE) adopted, at a special meeting in Helsinki, a decision on holding the Minsk Conference in order to achieve a comprehensive settlement of the Armenian-Azerbaijani Nagorny Karabakh conflict. In this way, an international institute on conflict resolution was established. This decision, which defined the Conference's mandate and the structure of the negotiation process, is of exceptional importance.

In 1993, the United Nations Security Council considered, on several occasions, the question of the occupation of the territory of Azerbaijan by Armenian armed forces. Four resolutions were adopted: 822 (1993), 853 (1993), 874 (1993) and 884 (1993).

The Security Council resolutions strongly demanded the immediate and unconditional withdrawal of Armenian armed forces from the occupied Azerbaijani territories and also the establishment of conditions for the return of refugees and displaced persons to their places of residence in their native land. The United Nations categorically supported the sovereignty and territorial integrity of the Republic of Azerbaijan and confirmed that the Nagorny Karabakh region belonged to the Republic of Azerbaijan. The Security Council also supported the mediation activities of the CSCE Minsk Group.

None of these resolutions, however, have been implemented, and the Security Council has still not concerned itself about the implementation of the decisions that it adopted.

A decision to step up the activities of CSCE in connection with the Armenian-Azerbaijani Nagorny Karabakh conflict was adopted in December 1994 at the CSCE Summit in Budapest. The CSCE heads of State defined the stage-by-stage nature of

the settlement and entrusted the Co-Chairmen of the CSCE Minsk Conference with the task of drawing up an agreement on halting the armed conflict. The agreement was to provide for the elimination of the basic consequences of the conflict for all sides and was to become the basis for convening the Minsk Conference. A decision to deploy CSCE multinational peacekeeping forces in the area of the conflict was also taken.

The basic formula for settling the conflict was laid down at the OSCE Summit in Lisbon in December 1996. All the OSCE States members, except the Republic of Armenia, supported the three basic settlement principles, which ensure the territorial integrity of the Republic of Azerbaijan, and the granting to Nagorny Karabakh of the highest degree of self-government within Azerbaijan with security guarantees for its entire population.

In this way, the international community defined the legal basis for a settlement, established a negotiation institute and defined the tasks of the mediators.

Since the Lisbon Summit, the OSCE Co-Chairmen of the Minsk Group have been from three leading States of the world — the Russian Federation, the United States of America and France, in which we have placed great hope in the expectation that their efforts will lead to a settlement of the conflict, the restoration of the territorial integrity of Azerbaijan and the return of the refugees to their places of residence. Unfortunately, however, this has still not come about. Armenia is not carrying out any of the decisions adopted by the United Nations and OSCE.

The Co-Chairmen of the Minsk Group submitted three proposals for settling the Armenian-Azerbaijani Nagorny Karabakh conflict. The first proposal, submitted by them in June 1997, contained a package solution to the conflict, and the second, put forward in October 1997, dealt with a stage-by-stage settlement. In November 1998, the Co-Chairmen submitted a new, third, proposal — a proposal on a "common State".

Azerbaijan accepted the first and second proposals by the Co-Chairmen as the basis for conducting the negotiation process, in spite of the fact that some of their provisions ran counter to the norms and principles of international law and infringed the principle of the territorial integrity of Azerbaijan. In spite of this, however, Armenia refused to accept these proposals, adopting a clearly unconstructive position.

We did not accept the proposal by the Co-Chairmen concerning a "common State". The concept of a "common State", which has no basis in international law, implies that Nagorny Karabakh is an independent State and a territorial entity and accords it the status of a subject of a "common State" on equal footing with Azerbaijan. This proposal completely contradicts the principles and norms of international law, would deprive Azerbaijan of part of its territory and would in fact legitimize the Armenian aggression against Azerbaijan.

We consider that the Co-Chairmen of the OSCE Minsk Group, guided by the principles of international law, should have more effectively influenced the negotiation process and promoted the speediest settlement of the conflict, the restoration of the territorial integrity of Azerbaijan and the return of the refugees to their places of residence. As an integral part of Azerbaijan, Nagorny Karabakh can be granted the status of a high degree of self-government within the Republic of Azerbaijan. Unfortunately, the Co-Chairmen basically occupied themselves with

mediation activities, without bringing to bear the necessary influence on the negotiation process in accordance with the norms of international law. The hopes that we have placed in the leaders of the OSCE Minsk Group, representing the Russian Federation, the United States of America and France, have not yet brought about the desired results.

Direct meetings between the Presidents of Armenia and Azerbaijan began in April 1999 in Washington on the initiative of the United States Administration. Since then, we have held numerous meetings with President Kocharian in Geneva, Moscow, Istanbul, Paris, Minsk, Davos, Yalta, and also on the border between our Republics.

In the course of our dialogue with the President of Armenia, we have basically been engaged in a search for mutually acceptable compromises in order to achieve a speedy and peaceful settlement of the conflict and establish long-term stable peace between Armenia and Azerbaijan. I should like to point out that, at the end of 1999, we were close to achieving a compromise. Armenia, however, reneged on the agreement reached.

During the difficult negotiations, the Armenian side has always taken and continues to take a rigid, unconstructive position. We cannot reach agreement because the position of the Armenian side at these negotiations is based precisely on the fact that it has the advantage, having occupied 20 per cent of the territory of Azerbaijan. Armenia has sought in every way possible to seize and annex part of the territory of Azerbaijan or achieve the status of independence for Nagorny Karabakh.

Unfortunately, as a result of our meetings, the Co-Chairmen of the OSCE Minsk Group have adopted a wait-and-see, passive position and have based their activities on the principle "What the Presidents agree upon will be acceptable to OSCE".

We consider that the meetings of the Presidents do not replace the activities of the Co-Chairmen of the Minsk Group. On the contrary, mutually complementing one another, they should ensure progress in the negotiation process in order to achieve a final settlement of the conflict.

In accordance with the principles and norms of international law and the Charter of the United Nations, the territorial integrity and inviolability of the borders of each independent State that is a Member of the United Nations must be observed by all and, particularly, OSCE, which has taken upon itself the responsibility for settling this conflict. OSCE and its Minsk Group must firmly adhere to these principles and promote in every way possible their strict observance.

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